

SENATE BILL No. 135

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-10.1.

Synopsis: Pledge of Allegiance and moment of silence. Requires a United States flag to be displayed in each classroom of a school corporation. Requires a school corporation to provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance. Provides an exemption for students who choose (or whose parents choose for them) not to participate in the Pledge. Requires a school corporation to establish a daily one minute period of silence in each classroom. Repeals a law allowing an optional brief period of silent prayer or meditation.

Effective: July 1, 2004.

Young R Michael

January 6, 2004, read first time and referred to Committee on Criminal, Civil and Public Policy.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 135

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-10.1-4-0.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2004]: **Sec. 0.5. (a) The United States flag**
4 **shall be displayed in each classroom of every school in a school**
5 **corporation.**

6 **(b) The governing body of each school corporation shall provide**
7 **a daily opportunity in each classroom of the school corporation for**
8 **students to voluntarily recite the Pledge of Allegiance. A student is**
9 **exempt from participation in the Pledge of Allegiance and may not**
10 **be required to participate in the Pledge of Allegiance if:**

11 **(1) the student chooses to not participate; or**

12 **(2) the student's parent chooses to have the student not**
13 **participate.**

14 SECTION 2. IC 20-10.1-4-3.5 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2004]: **Sec. 3.5. (a) In order that:**

17 **(1) the right of each student to the free exercise of religion is**

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1 guaranteed within the schools; and

2 (2) the freedom of each student is subject to the least possible
3 pressure from the state either to engage in or to refrain from
4 religious observance on school grounds;

5 the governing body of each school corporation shall establish the
6 daily observance of a one (1) minute period of silence in each
7 classroom of the school corporation.

8 (b) During the period of silence required by subsection (a), the
9 teacher responsible for a classroom shall ensure that all students
10 remain seated and silent and make no distracting display so that
11 each student may, in the exercise of the student's individual choice,
12 meditate, pray, or engage in any other silent activity that does not
13 interfere with, distract, or impede another student in the exercise
14 of the student's individual choice.

15 SECTION 3. IC 20-10.1-7-8 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. ~~Voluntary Religious~~
17 ~~Observance = Authorized~~. A voluntary religious observance is
18 permitted in each school corporation if the school corporation follows
19 sections 9 and 10 and 11 of this chapter and any additional procedures
20 which it adopts to assure that the observance is voluntary.

21 SECTION 4. IC 20-10.1-7-11 IS REPEALED [EFFECTIVE JULY
22 1, 2004].

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